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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Civil Case No. 1:14-cv-2302

DALLAS BUYERS CLUB, LLC,

Plaintiff,

v.

ROXANNE BENNETT,

Defendants

**FILED**

NOV X 3 2014

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

**DEFENDANT BENNETT'S ANSWER TO PLAINTIFF'S COMPLAINT**

Defendant ROXANNE BENNETT ("Defendant") is identified in Plaintiff's complaint as the Internet Service Provider (ISP) subscriber assigned Internet Protocol ("IP") address {IP 71.201.124.98}, ROXANNE BENNETT. I am representing myself *Pro Se* in this matter before the Court. I understand that *Pro Se* litigants are required to follow the same rules and procedures

as litigants represented by attorneys as seen in *Nielson v. Price*, 17 F.3d 1276, 1277 (10<sup>th</sup> Cir. 1994). I will abide by these rules and procedures, but ask the courts indulgence as I'm not a lawyer. I hereby answer the Complaint of Dallas Buyers Club, LLC ("Plaintiff") as follows:

### **Jurisdiction and Venue**

1. Defendant denies the statements in paragraphs 1-8 of the complaint, due to lack of knowledge.

### **The Parties**

1. Defendant denies the statements and allegations in paragraphs 9-11.

### **Count 1 - Copyright Infringement**

1. Defendant denies the statements in paragraphs 12-13, due to lack of knowledge.

2. Defendant denies the allegations in paragraphs 14-18. Plaintiff's allegations are only based on the fact that Defendant is the Internet Service Provider (ISP) subscriber (pays the ISP bill). Plaintiff alleges Defendant's public IP address was observed for one second on the alleged infringement date. There is NO reasonable information to even suggest that Defendant is the offender; only that the Internet subscription is in his name. Plaintiff has made no due diligence efforts to identify the true infringer beyond seeking early

discovery for ISP subscriber records. Plaintiff has voluntarily chosen not to mitigate the alleged injury it claims "... cannot fully be compensated or measured in money."

3. Defendant reserves the right to amend its answer to add defenses as information becomes available.

### **PRAYER FOR RELIEF**

**WHEREFORE**, Defendant having fully answered and pled to the causes of actions herein, Defendant requests a jury trial on the claims herein insofar as they can be properly heard by a jury and an order granting the following relief:

- a. For entry of a permanent injunction preventing Plaintiff from naming a defendant in this BitTorrent copyright infringement case and future ones based only on the fact that the ISP subscriber pays the Internet service bill. Plaintiff should be enjoined to conduct at least a basic investigation, to include depositions to determine who the actual infringer is. Naming a defendant based only on whom the ISP records disclose as the bill payer is wildly irresponsible.
- b. Request the court "on its own" issue a show cause order (FRCP 11(c)(3)) to Plaintiff as to why it should not be sanctioned for providing factual

contentions that have no evidentiary support or will likely have no evidentiary support after a reasonable opportunity for further investigation or discovery.

- c. Request that if the court finds Plaintiff did violate FRCP 11(b), appropriate sanctions are imposed to deter future conduct by this Plaintiff or others Plaintiffs filing similar BitTorrent copyright infringement law suits.
- d. A judgment in favor of Defendant denying Plaintiff's requested relief and dismissal of Plaintiff's Complaint with prejudice by this court.

DATED: 27 OCTOBER 2014

Respectfully submitted,

ROXANNE BENNETT

By: 

ROXANNE BENNETT

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cc

CERTIFICATE OF SERVICE

I hereby certify that on 30 October 2014, I served a copy of the foregoing document, via US Mail, on:

**Michael A. Hierl / Todd S. Parkhurst (Attorneys for Plaintiff)**

**Hughes Socol Piers Resnick & Dym, Ltd.**

**Three First National Plaza**

**70 W. Madison Street, Suite 4000**

**Chicago, IL 60602**

Dated: 30 October 2014

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roxanne Bennett". The signature is fluid and cursive, with the first name "Roxanne" written in a larger, more prominent script than the last name "Bennett".

Roxanne Bennett

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